

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMIL THOROGOOD,

Plaintiff,

v.

LIBERTY COCA-COLA BEVERAGES, LLC

Defendant.

CIVIL ACTION

NO. 21-5149

ORDER

AND NOW, this 9th day of November 2022, upon consideration of Plaintiff's Amended Complaint (ECF 8), Defendant's Motion to Dismiss (ECF 10) and Plaintiff's Response in Opposition thereto (ECF 12), it is hereby **ORDERED** that the Motion is **GRANTED** as to Counts V and VI and **DENIED** as to Counts VII and VIII.

Thorogood may file a second amended complaint consistent with the Court's accompanying Memorandum on or before Friday, December 2, 2022.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.